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REMARKS

Claims 1 – 18, 20, and 21 are in the application. Claims 1, 20, and 21 are currently amended; claims 3 – 5, 12, and 18 were previously presented; claim 19 is canceled; and claims 2, 6 – 11, and 13 – 17 remain unchanged from the original versions thereof. Claims 1, 20, and 21 are the independent claims herein.

No new matter has been added to the application as a result of the amendments submitted herewith. Reconsideration and further examination are respectfully requested.

Claim Rejections – 35 USC § 103

Claims 1, 10, 12, 13, 15, 16, 18, 20, and 21 were rejected under 35 U.S.C. 103(a) as being unpatentable over Rudnick et al. U.S. Publication No. 2002/0159418, hereinafter referred to as Rudnick in view of Spinar et al. U.S. Publication No. 2002/0080816, hereinafter referred to as Spinar and Pattara-Atikom et al. (Wasan Pattara-Atikom and Prashant Krishnamurthy, "Distributed Mechanisms For Quality Of Service in Wireless LANs", IEEE, June 2003, Pages 26-34), hereinafter referred to as Atikom. This rejection traversed.

Applicant notes that claims 1, 20, and 21 are amended to further clarify that which is claimed as the invention by Applicant. For example, claim 1 is directed to a method for providing a delay guarantee for each of a plurality of client devices associated with an access point. The claim includes classifying each of the plurality of client devices into one of a plurality of potential client device types based on, at least, a measurement of current and previous traffic loads for each of the plurality of client devices, and a determination of whether the client device is critical; determining a desired traffic load for the plurality of client devices; and allocating shaper intervals to each of the plurality of client devices based on the client device type classification and the desired traffic load wherein the classifying, determining, and allocating are performed by the access point. Applicant respectfully submits that claims 20 and 21 are worded similar to claim 1.

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Thus, it is clear that Applicant claims classifying each of the plurality of client devices associated with an access point based on, in part, whether the client device is critical. Support for this aspect of the claims is provided in the Specification at paragraphs [0046] – [0057], as indicated in U.S. Pub. Pat. Appl. No. US 2005/0013316 A1. The Office's attention is further directed to FIG. 3, 202; and FIG. 4, 224 where the claimed determining of whether the client device is critical is also clearly illustrated and disclosed.

Applicant further notes that the independent claims, as amended, specify that the classifying, determining, and allocating are performed by the access point. Support for this aspect of the claims is provided in the Specification at paragraphs [0042] – [0044].

Applicant respectfully submits that the cited and relied upon Rudnick, Spinar, and Atikom references do not disclose or suggest the claimed aspects of classifying each of the plurality of client devices into one of a plurality of potential client device types based on, at least, a measurement of current and previous traffic loads for each of the plurality of client devices, and a determination of whether the client device is critical; wherein the claimed classifying, determining, and allocating are performed by the access point. It is not seen where any of the cited references undertakes a determination of whether the client device is critical in the process of allocating bandwidth for an access point.

Applicant respectfully submits that claims 1, 20, and 21 are patentable over the cited references under 35 USC 103(a). Additionally, Applicant submits that claims 10, 12, 13, 15, 16, and 18 depending from claim 1 are also patentable for at least depending from an allowable base claim. Applicant requests the reconsideration and withdrawal of the rejection of claims 1, 10, 12, 13, 15, 16, 18, 20, and 21 under 35 USC 103(a).

Claims 2 – 5 were rejected under 35 U.S.C. 103(a) as being unpatentable over Rudnick in view of Atikom and Spinar as applied to claim 1 above, and further in view of

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Gu et al., Daqing Gu and Jinyun Zhang, "QoS Enhancements in IEEE802.11 Wireless Local Area Network", IEEE, June 2003, Pages 120-124, (hereinafter, Gu). This rejection is traversed.

Inasmuch as this rejection relies upon Rudnick-Atikom-Spinar as applied to claim 1 and Applicant has clearly demonstrated the fatal shortcomings of the Rudnick-Atikom-Spinar hereinabove, Applicant further submits that Gu does not correct the failings of Rudnick-Atikom-Spinar. Therefore, Applicant submits that the combination of Rudnick-Aitkom-Spinar-Gu does not render claims 2 – 5 obvious under 35 USC 103(a).

Claims 6 and 17 were rejected under 35 U.S.C. 103(a) as being unpatentable over Rudnick in view of Spinar and Atikom as applied to claim 1 above, and further in view of Awater et al. U.S. Publication No. 2007/0109980, (hereinafter, Awater). This rejection is traversed.

Applicant submits that Rudnick-Spinar-Atikom as applied to claim 1 fails to disclose or suggest that which is claimed in claim 1. Applicant further submits that Awater does not correct the failings of Rudnick-Spinar-Atikom. Therefore, Applicant submits that the combination of Rudnick-Spinar-Aitkom- Awater does not render claims 6 and 17 obvious under 35 USC 103(a).

Claims 7 – 9, 11, and 14 were rejected under 35 U.S.C. 103(a) as being unpatentable over Rudnick in view of Spinar and Atikom as applied to claim 1 above, and further in view of Grilo et al., (Antonio Grilo, Mario Macedo, and Mario Nunes, "A Scheduling Algorithm for QoS Support in IEEE802.1E Networks", IEEE, June 2003, Pages 36-43), hereinafter referred to as Grilo. This rejection traversed.

Applicant submits that Rudnick-Spinar-Atikom as applied to claim 1 fails to disclose or suggest that which is claimed in claim 1. Applicant further submits that Grilo does not correct the failings of Rudnick-Spinar-Atikom. Therefore, Applicant submits that the combination of Rudnick-Spinar-Aitkom-Grilo does not render claims 7 - 9, 11, and 14 obvious under 35 USC 103(a).

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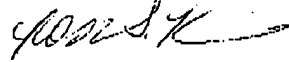
CONCLUSION

Accordingly, Applicant respectfully requests allowance of the pending claims.

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Respectfully submitted,


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